

12-11-01

CPA/1724

WENMM/SB/29 (6/01)

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## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable  
☐ DUPLICATE

Address to: <b>Assistant Commissioner for Patents Box CPA Washington, D.C. 20231</b>	Attorney Docket No. Of Prior Application	7058-5
	First Named Inventor	ROBSON, David J.
	Examiner Name	I. Cintins
	Group Art Unit	1724
	Express Mail Label No.	EL683206783US

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),  
(continued prosecution application (CPA)) of prior application number 08/876,322, filed on June 16, 1997,  
entitled Improvements in or Relating to the Absorption of Hydrophobic Water-Immiscible Liquids.

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either:  
(1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance  
with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior  
nonprovisional application was filed before May 29, 2000. A CPA may be filed in design application regardless of the  
filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional  
Application Practice," Final Rule, Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20,  
2000), 1233 Off. Gaz. Pat. Office (April 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but  
must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon  
the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a  
continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by  
the application under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions  
of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access  
to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the  
specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be  
entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned  
the application number identified in such request, 37 CFR 1.78(a).

**WARNING:** Information on this form may become public. Credit card information should not be included on

1. ☒ Enter the unentered amendment previously filed on May 4, 2001  
under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. ☐ Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

12/12/2001 6TEFFERA 00000061 08876322

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[Page 1 of 2]

Burden hour statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any  
comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office,  
Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box  
CPA, Washington, DC 20231.

"Express Mail" label number **EL683206783US**  
Date of Deposit **December 3, 2001**

I hereby certify that this correspondence is being deposited with the United States Postal Service  
"Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and  
is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Erica L. Taylor

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS	
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	17-20* =	0	x \$ ____ =	\$0	
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (j))	2-3** =	0	x \$ ____ =	0	
	MULTIPLE DEPENDENT CLAIMS (if applicable (37 CFR 1.16(d)))				+ \$ ____ =	
					BASIC FEE (37 CFR 1.16)	740.00
					Total of above Calculations=	740.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).					370.00
	<i>* Reissue claims in excess of 20 and over original patent.  ** Reissue independent claims over original patent.</i>				TOTAL=	\$370.00

6. ☒ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 23-3030:

☒ Fees required under 37 CFR 1.16.  
☒ Fees required under 37 CFR 1.17.  
☐ Fees required under 37 CFR 1.18.

8. ☒ A check in the amount of \$1,090.00 is enclosed.

9. ☐ Payment by credit card. Form PTO-2038 is attached.

10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_\_ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.

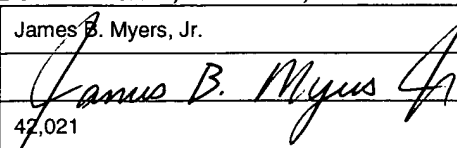
11. ☒ New Attorney Docket Number, if desired **7058-5-CON**  
*[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]*

12. a. ☐ Receipt for Facsimile Transmitted CPA (PTO/SB/29A)  
b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)

13. ☐ Other: \_\_\_\_\_

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below

14. NEW CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number or Bar Code Label		Insert Customer No. or Attach bar code label here		<input type="checkbox"/> New correspondence address below	
Name	James B. Myers, Jr.				
	Woodard, Emhardt, Naughton, Moriarty & McNett				
Address	Bank One Center/Tower				
	111 Monument Circle, Suite 3700				
City	Indianapolis	State	IN	Zip Code	46204-5137
Country	U.S.A.	Telephone	(317) 634-3456	Fax	(317) 637-7561

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
Name (Print/Type)	James B. Myers, Jr.
Signature	
Registration No. (Attorney/Agent)	42,021
Date	December 3, 2001

# FEE TRANSMITTAL FOR FY 2002

Patent fees are subject to annual revision.

Total Amount of Payment (\$1,090.00)

## Complete if Known

Application Number 08/876,322  
Filing Date June 16, 1997  
First Named Inventor ROBSON, David J.  
Group Art Unit 1724  
Examiner Name I. Cintins  
Attorney Docket Number 7058-5

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

23-3030

Deposit  
Account Name

Woodard, Emhardt, Naughton, Moriarty & McNett

- ☒ Charge any Additional Fee Required  
Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status.  
See 37 CFR 1.27.

2. ☒ Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility Filing Fee	370.00
106	330	206	165	Design Filing Fee	
107	510	207	255	Plant Filing Fee	
108	740	208	370	Reissue Filing Fee	
114	160	214	80	Provisional Filing Fee	
SUBTOTAL (1)					(\$370.00)

### 2. EXTRA CLAIM FEES

			Extra Claims		Fee From Below		Fee Paid
Total Claims	17	-20** =	0	X		=	0
Independent Claims	2	-3** =	0	X		=	0
Multiple Dependent						=	

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
105	130	205	65	Surcharge - late filing fee or date
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.
139	130	139	130	Non-English specification
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination
112	920*	112	920*	Requesting publication of SIR prior to Examiner
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action
115	110	215	55	Extension for reply within first month
116	400	216	200	Extension for reply within second month
117	920	217	460	Extension for reply within third month
118	1,440	218	720	Extension for reply within fourth month
128	1,960	228	980	Extension for reply within fifth month
119	320	219	160	Notice of Appeal
120	320	220	160	Filing a brief in support of an appeal
121	280	221	140	Request for oral hearing
138	1,510	138	1,510	Petition to institute a public use proceeding
140	110	240	55	Petition to revive - unavoidable
141	1,280	241	640	Petition to revive - unintentional
142	1,240	242	620	Utility issue fee (or reissue)
143	460	243	230	Design issue fee
144	620	244	310	Plant issue fee
122	130	122	130	Petitions to the Commissioner
123	50	123	50	Petitions related to provisional applications
126	180	126	180	Submission of Information Disclosure Stmt
581	40	581	40	Recording each patent assignment per property (times number of properties)
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))
179	740	279	370	Request for Continued Examination (RCE)
169	900	169	900	Request for expedited examination of a design application

Other Fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$720.00)

## SUBMITTED BY

Name (Print/Type)

James B. Myers, Jr.

Registration No.  
(Attorney/Agent)

42,021

Telephone

(317) 634-3456

Signature

*James B. Myers Jr.*

Date

December 3, 2001

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.